

HONORABLE TIFFANY M. CARTWRIGHT

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

ALISON WESTOVER, an individual,

Plaintiff,

v.

STATE OF WASHINGTON, et al.,

Defendants.

No. 3:24-cv-05872-TMC

STIPULATED MOTION AND ORDER
TO EXTEND DEFENDANT THE
STATE'S ANSWER DEADLINE

December 2, 2024

Without Oral Argument

I. INTRODUCTION

The Parties submit this stipulated motion to extend Defendants the State of Washington, Washington State Department of Natural Resources ("DNR"), and Hilary Franz, Carlo Davis, Sarah Ford, and Darwin Forsyth's (in their official capacities) answer deadline to align it with the answer deadlines of Defendants Hilary Franz, Carlo Davis, Sarah Ford, and Darwin Forsyth (together, the "Individual Defendants") in their individual capacities.

II. STIPULATION

The Parties hereby stipulate as follows:

1. Plaintiff Alison Westover filed this action on October 14, 2024, naming as Defendants the State of Washington, DNR, and the Individual Defendants in their official and individual capacities. ECF No. 1.

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DEF. STATE'S ANSWER DEADLINE - 1
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2. On October 14, 2024, Plaintiff served a copy of the complaint and summonses via the Washington Attorney General's Office's (AGO) email service inbox (ServiceATG@atg.wa.gov), which is for original service of process in suits "against the State of Washington, its state agencies and state officials sued in their official capacities." AGO, *Electronic Service of Original Summons & Complaint*, <https://www.atg.wa.gov/electronic-service-original-summons-complaint> (last visited Nov. 21, 2024).

3. On October 15, 2024, AGO accepted service of the summons and complaint on behalf of the State of Washington, DNR, and Individual Defendants in their official capacities (collectively, the State). The State's deadline to answer or otherwise respond to the Complaint was November 4, 2024. Fed. R. Civ. P. 12(a)(1)(A)(i). On November 1, 2024, the parties agreed to extend the State's answer deadline to November 29, 2024.

4. On November 12, 2024, Plaintiff's counsel emailed Defendants' counsel service waiver forms addressed to the Individual Defendants in their individual capacities. Defendants' counsel returned the signed service waiver forms on November 25, 2024. The Individual Defendants' deadline to answer or otherwise respond to the Complaint in their individual capacities is therefore January 13, 2025. Fed. R. Civ. P. 12(a)(1)(A)(ii), 6(a)(1)(C).

5. To provide the State sufficient time to prepare a responsive pleading and to align its answer deadline with that of the Individual Defendants, the Parties agree and stipulate that the Court should extend the State's answer deadline until January 13, 2025.

III. CONCLUSION

The Parties respectfully request that the Court extend the deadline for the State to answer or otherwise respond to the Complaint as January 13, 2025.

DATED this 2nd day of December, 2024.

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SILENT MAJORITY FOUNDATION

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ORDER

This matter having come before the Court by stipulated motion, and for good cause shown, IT IS ORDERED that the deadline for Defendants the State of Washington, Washington State Department of Natural Resources, and Hilary Franz, Carlo Davis, Sarah Ford, and Darwin Forsyth's (in their official capacities) to answer or otherwise respond to the Complaint has been extended to: January 13, 2025.

SO ORDERED this 3rd day of December, 2024.



HONORABLE TIFFANY M. CARTWRIGHT